

FLORIDA

400 N. Tampa Street
15th Floor
Tampa, Florida 33602
P. 813.222.8990
F. 813.222.8991

1101 Brickell Avenue
South Tower, 8th Floor
Miami, FL 33131
P. 813.222.8990

NEW YORK

250 E. 53rd Street
Suite 1701
New York, New York 10022
P. 646.746.8659

WWW.LAUROSINGER.COM

VIA ELECTRONIC FILING (CM/ECF)

July 12, 2023

Hon. Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007

RE: *Doe v. Jackson et al.*, Case No. 1:23-CV-04910 (ALC)

Dear Judge Carter:

We represent defendant Joshua Jackson in connection with the above-referenced matter. Pursuant to Your Honor's Individual Practice 2.B., we respectfully request permission to submit a two-page letter-sur-reply to plaintiff's Reply Memorandum of Law in Support of Plaintiff's Motion to Proceed Anonymously. (ECF No. 21). Our sur-reply would address the issues that plaintiff improperly raises for the first time on reply, as well as her factual inaccuracies.

On June 19, 2023, plaintiff moved for leave to file her case under seal or to proceed pseudonymously. (ECF Nos. 13-14). Pursuant to Your Honor's order (ECF No. 15), we filed our opposition memorandum on June 28. (ECF No. 19). Your Honor then directed plaintiff to file her reply by July 7. (ECF No. 20). Plaintiff complied. (ECF Nos. 21-23).

However, plaintiff's reply improperly raises new arguments and evidence. *U.S. ex rel. Karlin v. Noble Jewelry Holdings Ltd.*, 2012 WL 1228199, at *4 (S.D.N.Y. Apr. 9, 2012) ("Arguments may not be made for the first time in a reply brief." (quoting *Knipe v. Skinner*, 999 F.2d 708, 711 (2d Cir.1993))). Our sur-reply would address each of the new issues, including: (1) her request for alternate relief; (2) her false and inflammatory claims about Jackson's propensity for "violence against female victims," Reply at 2; (3) the substance of her untimely testimony and evidence; (4) her ongoing failure to keep her identity confidential; and (5) her counsel's mischaracterization of correspondence to the undersigned.

We believe it is critically important that Your Honor is fully apprised of these issues before ruling on plaintiff's request to proceed anonymously.

Respectfully submitted,

John F. Lauro

cc: Counsel of Record (via CM/ECF)